

This communication is being submitted within one month after the mailing date of the restriction requirement and, therefore, no fees should be due. However, the Assistant Commissioner is authorized to charge any fees which Applicants may have inadvertently overlooked to Deposit Account 23-1703.

FAX RECEIVED**REMARKS**

FEB 01 2002

I. Election/Restriction**GROUP 3600**

A restriction requirement under 35 U.S.C. §§121 was issued in the subject application. It is alleged that the subject application contains the following inventions or groups of inventions which are independent and patentably distinct:

Group I: claims 1-11 and 25-28, drawn to a flexible composite, classified in class 156, subclass 137; and

Group II: claims 12-24, drawn to a conveyor belt, classified in class 198, subclass 817.

The Office Action characterizes Group I as drawn to stock materials and corresponding to claims 1-12. This characterization is clearly a typographical error, as these claims are drawn to a flexible composite which corresponds to claims 1-11 (and 25-28) and not claims 1-12.

* — With traverse, Applicants elect the invention of Group I for examination purposes.

II. Traversal of the Restriction Requirement

Applicants respectfully traverse the restriction requirement as to the inventions of Groups I and II. For the following reasons, withdrawal of the restriction requirement as to the claims of Groups I and II is requested.

The Examiner alleges that the inventions of Groups I and II are distinct because the product as claimed can be made by another and materially different process. The Examiner

alleges that although Invention I claims one particular way for making a flexible composite with regard to the conveyor belt, many other different methods of making a conveyor belt may be used.

Applicants strongly disagree with the Examiner's statements. The composite of Group I represents the genus and the conveyor belt of Group II represents an application of the claimed invention. Therefore, if the invention of group I is patentably distinct over any prior art, then the invention of Group II must also be necessarily patentable. Thus, the conveyor belt of Group II can only be prepared by the same process as the composite of Group I.

Furthermore, the inventions of Group I and II essentially recite the same features. In this regard, both independent product claims, the flexible composite of claim 1 (corresponding to Group I) and the conveyor belt of claim 12 (corresponding to Group II), recite the same claim elements:

- a reinforcement material having two faces;
- a coating disposed over at least one face; and
- a multiplicity of ribs raised above at least one of the coated faces.

Applicants submit that there would be no undue burden upon the Examiner to search and examine the claims of Groups I and II in the present application. In view of the specification, the flexible composite is useful in applications as a conveyor belt. Therefore, even though the claims of Groups I and II are classified in different classes, it is reasonable to expect that a thorough search of Group I would and should include a search of Group II.

Accordingly, economy of Patent Office resources and those of the Applicants as well as fundamental fairness warrant the withdrawal of the restriction requirement as to the claims of Groups I and II.

In summary, the Examiner is respectfully requested to withdraw the restriction requirement as to Groups I and II and to search and examine all the pending claims in the present application.

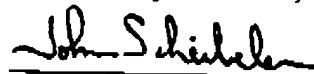
CONCLUSION

It is submitted that Applicants have completely responded to the restriction requirement. For all of the foregoing reasons, withdrawal of the restriction requirement between the claims of Groups I and II is respectfully requested.

Applicants submit that the claims are in condition for allowance, which action is earnestly solicited.

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Respectfully submitted,



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